

The Topeka State Journal.

10 CENTS A WEEK. NINTH EDITION.

TOPEKA, KANSAS, SATURDAY EVENING, APRIL 14, 1894.

TWENTY-SECOND YEAR.

MADELINE WINS.

The Jury in the Breckinridge-Pollard Case,

Renders Its Verdict In Open Court Today.

Awarding Miss Pollard \$15,000 Damages.

TESTIMONY GONE OVER

Wilson Says One of Breckinridge's Statements

Is a "Clean Shaven Bald-Headed Obese Lie."

WASHINGTON, 4:45 p. m.—The jury rendered a verdict in favor of Miss Pollard and awards her \$15,000 damages. How the Verdict Was Reached.

At 25 minutes before 5 o'clock there was a rush toward the court room. Judge Bradley and the jury entered at one door, Col. Breckinridge, his son and Col. Phil Thompson at the other.

There was some delay in waiting for the other parties. Every one knew the jurors had not come in to ask for instructions, because they carried their coats and hats.

The jury had been out only one hour and twenty-eight minutes. There was an intense silence. During the interval, the jurors sat looking solemn as the proverbial judge, while Col. Thompson and the gray-haired defendant conferred in whispers.

Five minutes passed before Attorney Carlisle representing Miss Pollard entered. Judge Bradley requested the people to refrain from demonstrations. Then the verdict of \$15,000 for the plaintiff was announced.

There was no expression of approval, or disapproval from the crowd. Col. Breckinridge himself rose to make a motion for a new trial and the court adjourned.

There was nothing but expressions of approval and regrets that the amount was not larger. Among the few senators in the senate chamber when the Associated Press bulletin that the verdict of the Pollard-Breckinridge jury was \$15,000 for the plaintiff was announced to senators and rapidly passed around the chamber.

When the Jury Went Out.

WASHINGTON, April 14.—At 3:11 the Breckinridge case was given to the jury. Jere Wilson finished his argument at 2:33 and the judge then gave his charge to the jury. There was a lively scene in the Breckinridge court today. Jere Wilson denounced as a forgery the alleged letter Breckinridge had produced as received from Miss Pollard and said it had been copied from the Wessie Brown letter which attorney Stoll had carried in his pocket.

"Mr. Wilson," demanded Attorney Stoll, "do you mean to insinuate that I committed that forgery?"

"I do not," replied Mr. Wilson. "I say some skilled penman committed that forgery."

"Do you mean to say that I was a party to it?"

"I say you had the Wessie Brown letter, did you not?" demanded Wilson fiercely. "Did not you?"

"I did," replied Mr. Stoll, and for a moment, the air was surcharged with belligerency. "I do not propose," uttered Judge Wilson, "that you shall stand here and traduce my client by the hour and intimidate me from the discharge of my duty."

Then he rumbled in a knowing way, "I know some things."

Butterworth said: "Wilson says that Charles Stoll forged that letter."

"He will hear from that again," remarked Mr. Stoll.

The remark reached Judge Wilson, and he stepped forward from his chair.

"What was it?" he asked.

"There is another court than this one," answered Mr. Stoll.

"What do you mean?" asked the tall, cadaverous gray haired Indianan.

"I mean," responded Mr. Stoll, most deliberately, "that you state that I forged a letter which I denounce as vile and infamous."

"What do you mean by another court?" demanded Mr. Wilson fiercely; "what do you mean by the other court?"

Here Judge Bradley interposed: "Now gentlemen," he said, "I think you had better not proceed with this."

There was a moment's pause, no one had more to say and Wilson proceeded perfectly cool, with his argument.

Every other point of the defense having been disposed of, Mr. Wilson said there remained but the statement of the defendant that there was a mutual understanding that the contract to marry should not be carried out, and that he characterized picturesquely as "Clean-shaven, baldheaded obese falsehood," manufactured to fit the exigencies of the case. He discussed the probability of a woman about to give birth to a child consenting to such an arrangement, and reviewed the testimony of Mrs. Blackburn to show that Col. Breckinridge had taken the aggressive in the proclaiming to Mrs. Blackburn the engagement and declaring that he never intended to marry any one but Madeline Pollard and that her jealousy of Mrs. Wing was absurd.

The Judge's Charge.

Following is a summary of Judge Bradley's charge to the jury:

Public opinion should not weigh a feather weight, abstract principles were not to be vindicated nor the country girl, the home and the family. Personal opinions or wishes based on the rela-

tions between the parties on other facts were not to be considered. It was only a question whether a contract to marry existed and whether it broken there was an excuse for breaking it. The verdict was not to vindicate the character of either party. Although if the testimony was unfit to be reviewed, it was to be said, to the credit of both parties that they handled in delicate details as carefully and decently as possible.

Nearly all of the counsel had observed the same restraint and he regretted that this could not be said of all the counsel. Here all eyes were turned toward Phil Thompson.

TO LEAVE BRECKINRIDGE.

A Suit For Divorce Be Brought By Mrs. Breckinridge.

NEW YORK, April 14.—A Washington dispatch to a morning paper says it is rumored that a suit for divorce will be brought by Mrs. Breckinridge immediately upon the expiration of the present suit.

It is said that Mrs. Breckinridge turned over a large portion of her fortune to defray the costs of the trial, and that she was nearly prostrated when her husband on the witness stand frankly confessed the nature and relatively recent date of his relations with Miss Pollard.

SIMPSON VERY ILL.

The Kansas Populist Statesman In A Critical Condition.

WASHINGTON, April 14.—Representative Simpson, who has been confined to his bed for four weeks, is in a very critical condition, but his physician believes that by careful nursing the chances are slightly in favor of his recovery. Mr. Simpson is suffering with kidney trouble, similar to Bright's disease.

BIG RAINS OUT WEST.

Pratt Reports Steadily Rains For Thirty Hours at That Point.

PRATT, Kan., April 14.—It has been raining steadily here for thirty hours. The best rain for two years. Prospects at eleven to-day are for more. This county has been one of the counties the season of agriculture has classed among the driest.

This soaking rain, however, gives Pratt county great prospects for good crops.

STATE FAIR RECEIVER.

A New One Wanted In Place of William Allen Sells.

Two applications have been made to Judge Hazen for the appointment of a new receiver for the Kansas State Fair association to take the place of the late Col. W. A. Sells.

H. A. Heath filed one application through his attorney, James A. Troutman, and says he is one of the heaviest creditors of the association.

Frank H. Foster also filed an application on behalf of the fair association in which he says the affairs of the association are being badly managed and the appointment of a receiver is absolutely necessary.

INGALLS EXPLAINS.

Says He Never Had Any Active Connection With Trust & Banking Co.

ARCHISON, Kas., April 14.—John J. Ingalls said to a representative of the Associated Press he never received to exceed \$500 a year as president of the defense of Kansas Trust & Banking company. Of late years he did not receive anything at all. He is still owner of \$7,500 of the stock of the company, for which he paid cash and for some of it a premium.

His total receipts from the company in salary and dividends amounted to \$3,700, while the losses and liabilities by the failure of the company amounted to \$24,000, to be diminished by whatever dividends may be received from the assets hereafter.

Mr. Ingalls also stated as is generally known that he never had any active connection with the management of the company.

GEN. SLOCUM DEAD.

Ater a Week's Illness With Pneumonia the End Came This Morning.

NEW YORK, April 14.—Gen. Henry W. Slocum died at his residence in Brooklyn, after about a week's illness of pneumonia.

Gen. Slocum had been ill only a few days, and death was not expected. Just before 6 o'clock last night he suddenly began to sink.

At 11 o'clock he fell into a sleep, which continued three quarters of an hour. A few minutes before midnight he awoke and spoke to his family. At 12:05 p. m. he died, his head resting on his hand, and he died a peaceful death. Immediately after the house was closed, the telephone muffled, and no information at all given out of the general's death until after 2 o'clock this morning.

U. P. Hotel Arrivals.

L. R. Wright, Emporia; J. H. Sears, Lawrence; W. F. Jordan, Beloit; W. F. Montgomery, Omaha; E. M. Wilcox, Kansas City; T. H. Barland, St. Joe; Harry Anderson, St. Louis; F. O. McGarrig, Quincy; Albert Johnson, Kansas City; G. H. Harris, Ft. Scott; Geo. M. Keilam, Richmond; C. E. Foote, Marion; J. M. Henry, Chicago.

The Crowning Beauty of Woman Is a luxuriant growth of Hair. Beggs' Hair Renewer is guaranteed to give satisfaction, as it is a purely a vegetable preparation, and acts directly on the roots of the hair. Sold and warranted by W. R. Kennedy, 4th and Kas. Ave.

Beggs' Little Giant Pills

Are the most complete pill on the market, besides being the cheapest, as one pill is a dose, and forty doses in each bottle. Every pill guaranteed to give satisfaction by W. R. Kennedy, 4th and Kas. Ave.

Infirmary to Cost \$11,000.

OLATHE, April 14.—Today the county commissioners awarded the contract to build a new county infirmary to L. N. Mitchell of Olathe, at a cost of \$11,270. The building is to be a three story brick.

THEY'RE COURAGEOUS

Coxey's Army Encounters Almost Impassable Roads,

But No Desertions from the Little Band Reported.

LIKE JOHN BROWN'S.

The March Compared to Harper's Ferry Episode.

Kelley's Army Compelled to Go Through Nebraska.

GRANTSVILLE, Md., April 14.—The members of the little army of commonwealth which is slowly but surely moving on to Washington passed a fairly comfortable night, considering it from their standpoint.

The past three days has been a wonderful test of physical endurance on man and beast. While the men have borne up bravely, even attempting to keep up their spirits with song and jest, while wading in the snow and mud with the storm penetrating their rags with ease; the horses have been the greatest sufferers.

From the start two horses have been attached to the commissary, band and supply wagons. The long march had to be on the animals before Uniontown was reached but when the climbing of the mountains had begun, the poor creatures were barely able to struggle along.

It was thought at one time Thursday that the wagons could not be brought to this town. The panorama wagon horse gave completely out and was removed and the Texas pony Princess, used by Oklahoma Sam, was harnessed up. All day Thursday the army struggled along for over two miles on the national pike. Each of the five companies is placed in the rear of a wagon. Thus as the march progressed the horses dropped further and further to the rear, scattering the forces to an unusual degree.

The men are in good spirits today but they have experienced the discomforts of mountain travel, that they rather dread the tramp of fourteen miles to Frostburg. The road is reported to be in a bad condition. This with the other drawbacks to speedy traveling will result in a consumption of at least five hours before the camp is settled for the night.

POLICE NOT NEEDED.

Mayor of Grand Island Vouches for the Industrious Good Character.

OMAHA, April 14.—The San Francisco branch of the industrial army reached North Platte, Neb., in 27 Union Pacific box cars, at 8:30 this morning, and after a stop of ten minutes to change engines, proceeded to Willow Island, a siding thirty miles east, where breakfast was taken.

President McLaughlin, of the Grand Island city council, met the army there and after seeing how orderly the soldiers were, he wired the mayor and chief of police of his city that the special force of officers ordered to meet the train could be disbanded and all that was necessary to be done to see that a big box of coffee and 500 pounds of bread were on hand to help feed the soldiers.

The train will reach Grand Island at 3 p. m. and will arrive in Omaha about midnight.

FOREBODS INSURRECTION.

Grand Master Sovereign Says Coxey's Movement Is Like John Brown's.

BOSTON, April 14.—In an interview today Grand Master Workman Sovereign said Coxey's movement was the foreboding of an insurrection.

Thousands of followers were watching it, ready to resent any abuse the army may receive from municipal, state or national officials. The army was to workingmen today what John Brown's party was to the slaves before the war.

RINGLING'S SHOW.

It Will Exhibit at Topeka on Monday, May 14.

B. M. Drake, agent of Ringling Bros' circus left a check for \$160 with City Clerk McFadden today for the license to show and give a street parade in Topeka on May 14.

Of this amount \$150 is for the big show and \$10 for the side-show.

LOCAL MENTION.

Melissa R. Alexander has applied to the district court for a divorce from her husband, Robert T. Alexander.

James W. Waters, aged 12 years, died of dropsy yesterday at his home, 834 East Eighth street. The funeral occurred today.

The regents of the State university have elected Prof. A. S. Olin, formerly superintendent of the schools of Kansas City, Kas., to the chair of assistant professor of the chair of pedagogy.

Probate Judge Elliott this afternoon issued a marriage license to Alva C. Shinn and Laura M. Crall. They are members of the Church of God and will be married by the pastor of that church tonight.

Westbound trains have been packed to the guards yesterday and today. This is the last day the cheap California rate is effective. The rate has been \$25.50 for the round trip, or \$20 one way. Now the old rate is restored of \$65.50 for the round trip, or \$50 one way.

Col. R. J. Hinton, whose John Brown's book is soon to be issued from the press of Funk & Wagnall's, New York, has given the State Historical society proof prints of some of the portraits and facsimiles which are to appear in the book. Two of John Brown, and many other well known Kansas pioneers; facsimiles of poems by William D. Howells, Edna Dean Proctor, and Edmond C. Steadman, and of the commission of George B. Gill as secretary of the treasury in accordance with the provisions of John Brown's provisional constitution.

MORE FAKE NEWS.

How the Capital Published a Biased Report in the Linwood Wreck Case.

Some of our Kansas contemporaries are evidently getting onto the ways of the Capital as will appear from the following item taken from the last issue of the Clay Center Times:

"Both the Capital and Kansas City Journal insist that the jury in the Linwood wrecking case tried in this county last week stood nine in favor of the Rock Island road to three against the fact of the matter is that the jury stood eleven against the road and one for it. By the way, for straight news the reports of that trial in the Capital were wonderfully biased. An unprejudiced person might have guessed that the correspondent was dealing with the Rock Island crowd and drawing his pay from the same source, as he probably was."

It was very apparent from the reports themselves, that they were written in the interests of the Rock Island company.

For the purpose of gaining more information upon the subject a reporter called at the office of A. L. Williams, general attorney of the Union Pacific system this morning. Mr. Williams was out of the city, but Mr. Loomis, his assistant, was in the office and did not seem averse to telling what he knew and thought about the Capital reports concerning this case.

"Mr. Loomis, have you any information in regard to the Capital reports of the Linwood wreck case recently tried at Clay Center, and especially as to whether those reports were correct?"

"I am fully informed about those reports, and know them to have been not only incorrect, but intentionally so. The correspondent of the Capital was sent to Clay Center as the paid servant of the Rock Island company to write up the case in the interests of that company."

"Was there any color for the report which appeared in last Sunday's Capital, to the effect that upon the discharge of the jury, they stood nine for the Rock Island road and three for the plaintiff?"

"Absolutely none. The jury stood eleven for the plaintiff and one for the Rock Island Co. from the time they went to the jury room until they were discharged. This information was freely given out by all of the jurors as soon as they were discharged, and there was no possible doubt as to any doubt upon the subject. The statement of the Capital's correspondent in reference to nine of the jurors being for the Rock Island company was a willful falsehood. I will say further that before the case was submitted to the jury it was well known to myself and several other parties that the jury would hang, and we also knew the name of the man who would hang it. I am satisfied that the Capital correspondent not only knew before the case was submitted to the jury that it would stand eleven to one, but also knew who the one was, and knew why the jury would stand eleven to one. If the correspondent of the Capital had actually been in Clay Center at the time the jury was discharged, he would have known as common street talk, that the foreman of the jury, in the presence of all the other jurymen, denounced the man who hung the jury, as having been bought and paid to do it. And he would have known that the entire community, without regard to their feelings in reference to the controversy between the two roads, believed the foreman told the truth."

"Mr. Loomis, can you briefly state the nature of the controversy between the different parties to that case?"

"I can. Upon the second of January last, a Rock Island freight train ran into a Union Pacific freight train at Linwood, Kansas, killing seven or eight persons who were on the Union Pacific train. The rear lights of the Union Pacific train were out, and the plainly visible from the Rock Island train for at least a mile and a half beyond the point of the collision, and the men in charge of the Rock Island train knew the Union Pacific train was immediately ahead of them, for the Rock Island train had pushed the Union Pacific train over a grade at Leavenworth, which was the station west of the point where the collision occurred. The collision was necessarily the result of negligence upon the part of one or both of the companies. Both could not be guilty, but both could be innocent. Any effort made by the companies to place the blame of necessity have a tendency to throw the blame upon the other. Casper Dittmar, one of the parties injured in the wreck, sued both companies. In the trial which followed each road claimed that the collision was the fault of the other, and it was therefore, a legitimate fight between the two companies to establish the guilt of the other, but the question belonged to the courts and not to the newspapers. The case, however, from start to finish, was tried in the Capital, contemporaneously with the trial at Clay Center. For this purpose the Rock Island company hired a reporter to send an account of what did not take place, to the Capital. The reports which appeared in the Capital from day to day were so favorable for the Rock Island company that it was necessary to make a more favorable showing as to how the trial stood upon the facts of the case than the facts would warrant. The correspondent therefore drew upon his imagination and stated that nine of the jurors were for the Rock Island company, knowing at the time he made the statement that only one of the jurors was in favor of that company."

TILLMAN ACTS.

Rapidly Discharging the Multitudinous Militiamen—New Companies Organizing.

COLUMBIA, S. C., April 14.—Governor Tillman has begun to dismiss from the militia service of the state those companies which failed to respond to his call during the Darlington trouble. He wrote a letter today to the captain of one company which failed to respond, telling him that he did not want such "recruits" of South Carolina in her military service. The reorganization of the militia of the state is going on speedily.

Many new companies which will in the future be loyal to the commander-in-chief have been organized and ask to be mustered into service.

Remember the concert tonight at the Swedish Lutheran church, corner Fourth and Tyler. Professors from Bethany college, Lindsborg. Bran new programme.

Remember the concert tonight at the Swedish Lutheran church, corner Fourth and Tyler. Professors from Bethany college, Lindsborg. Bran new programme.

ARE THEY COMING.

Two of the Biggest Railroads in the West,

May Build Into Topeka Within the Year.

BOTH ARE MOVING.

Alton and Burlington Want the Kansas Business.

An Air Line Between Topeka and Kansas City Proposed.

Two of the strongest railroad systems in the west have their eyes on Topeka and it is easily within the range of the possible that they will both be running their trains direct from Chicago into Topeka before long.

These two railroads are the Chicago, Burlington and Quincy and the Chicago and Alton.

Both of these roads have been anxious to get into Kansas ever since the Rock Island built into this territory. Their jealousy for the Rock Island and their fear that the Santa Fe may at any time break its traffic arrangement with them and refuse to pool with them on eastern business. If the Santa Fe should do this and assist on carrying all the freight from Kansas lines into Chicago over its own lines the Burlington and the Alton would suffer heavily and would be forced to build into Kansas in order to protect themselves.

What Harrison Said.

To a STATE JOURNAL reporter today Mayor T. W. Harrison said: "When I was in Kansas City a few days ago, I had a long talk with some railroad investors who were making inquiries about Topeka. They told me that they are and have been for some time contemplating the building of an air line railroad between Kansas City and Topeka to be, at its completion, turned over to either the Burlington or Alton, either road they said would jump at the chance of purchasing such a line already constructed."

"They said they could place all the railroad bonds necessary to build new lines of railroad through any good country, and they considered an air line between Topeka and Kansas City, the most desirable road now in process of construction."

"It is true that the Santa Fe and Union Pacific roads both have short lines into Kansas City; both roads have a mileage of about 66 or 67 miles between those points. A much shorter road could be built, however. The Rock Island a few years ago made a survey, shortening the route about six or seven miles. They proposed to cross the river twice and run north of Lawrence directly into Kansas City."

"These gentlemen I talked with are railroad investors, and they know what they are talking about."

"The Burlington seems anxious to get into Kansas as shown by their building their new steel bridge across the Missouri river at Leavenworth. They did not build that bridge simply to get into Leavenworth and they did not build it for other roads to use."

"If the Burlington pushes on to Topeka from Leavenworth, over the line of the old Southwestern, there is little doubt but that the Alton would not be slow in coming into the capital of Kansas over the proposed Kansas City and Topeka air line."

NEW CORPORATIONS.

Charters Secured for Corporations for Various Purposes.

Charters were filed in the office of secretary of state as follows:

The Winfield Prospecting and Mining company of Winfield. Capital stock \$5,000. Directors, W. C. Robinson, J. P. Baden, P. H. Albright, J. E. Conklin, Ed. Pate, James Lortan and W. T. Madden all of Winfield.

The English and German Aid and Educational association. Capital stock \$1,000. Trustees, Robt. Kneisler, J. S. Conwell and W. D. Marmaduke.

The Whitewater Cemetery association. Directors, Charles Miller, G. P. Neiman, H. Acker, W. M. Finch and J. C. Kirkwood all of Whitewater.

BANK STATEMENT.

The Reserve Fund Increased Very Little in the Past Week.

NEW YORK, April 14.—The weekly bank statement shows the following changes:

Reserve, increase, \$330,025; loans, increase, \$6,512,800; specie, increase, \$474,600; legal tender, increase, \$1,809,800; deposits, increase, \$90,090,000; circulation, decrease, \$102,600.

The banks now hold \$80,881,000 in excess of the requirement of the 25 per cent rule.

RECEIVERS STAY IN.

Judge Jenkins Decides Adversely to the Petition Filed.

MILWAUKEE, April 14.—Judge Jenkins this afternoon handed down his decision on the petition of certain of the Northern Pacific stockholders to remove the receivers.

The judge dismisses the petition as to Messrs. Payne and Rouse as to Mr. Oakes, the petition will be retained for the purpose of an investigation of the Rocky Fork Commercial company matter, which will be referred to a master to be named later on.

FIFTEEN PARDONS.

Issued by the Governor Today to Penitentiary Convicts.

The governor has issued fifteen good behavior pardons and restoration of citizenship for inmates of the state penitentiary. These pardons are merely issued shortly before each man's term expires in order to restore him to citizenship.

Moses Londerback of Douglas county, convicted of grand larceny, arson and burglary and sentenced for 11 years. His sentence was shortened two years by good behavior.

Joseph Ryan, (an alias) who was convicted of larceny in this city and sentenced to one and a half years gets off with one year four months.

Edward Wilson, sentenced for three years from Ft. Scott for burglary and larceny, had his sentence commuted to two years and seven months.

Chas. J. Miller, of Riley county received five years for manslaughter in the second degree. He is let off with four years and one month.

Max Hold, convicted of highway robbery in Kansas City, Kas., and sentenced for five years, has also served four years and one month and is discharged.

Joe Muldraw of Riley county received a sentence of three and one-half years for perjury and breaking jail. He is let off for good behavior with three and one month.

The following men serving one year sentences were pardoned for good behavior. They have served the sentence reduced from one to three months: Albert Surhorn, of Harvey; Geo. Dickson, of Harvey; Wm. Bowen, of McPherson; Moxey, (alias) of Sumner; Todd Stammers, of Miami; Julius Good, of Jackson; A. J. Barbee, of Washington; Wm. Ishoff, of Harvey, and Jim Williams of Allen.

JOE LOWE'S TEARS EFFECTIVE.

C. S. Kearns for Whom They Pleaded Has Been Pardoned.

The JOURNAL of Wednesday evening told how Joe Lowe and Senator Rodgers had appeared before the board of pardons and shed tears profusely while asking for the release of C. S. Kearns, a farmer of Haddam, Washington county, who had been convicted of manslaughter and sentenced to eighteen months in the penitentiary.

The board of pardons is made up of humane men and when they saw Lowe's tears they analyzed them and found them genuine. From that moment their minds were made up and they were not slow in recommending a pardon. The governor approved the recommendation and when the board of pardons went to Lansing they took with them the papers which gave Kearns his freedom.

STATEHOUSE NOTES.

Some Items of Interest Picked Up in the Statehouse and Corridor.

C. J. Johnson, of Smith Center, called upon state officers to-day.

P. H. McElhiney, ex-sheriff of Smith county, was a visitor at Secretary of State Osborne's office to-day.

Secretary Wykes of the board of public works has returned from Winfield, where he went to inspect the new waterworks system and the addition recently built to the state idiotic asylum. He says that the new waterworks are as effective as any he ever saw.

Hon. Jay E. Close, county attorney of Republic county, visited the attorney general yesterday. The C. B. & Q. secured a temporary restraining order against the collection of taxes by the county treasurer and county commissioners and Mr. Close held a consultation with Attorney General Little with reference to the matter.

TIE UP IS COMPLETE.

On the Great Northern Road From the Dakotas to the Coast.

HELENA, Mont., April 14.—The tie-up on the Great North is complete as far as Helena, Butte and Great Falls are concerned.

Seventeen hundred employees on the western division have struck. One hundred men voluntarily acted as guards for the company's property last night. The strikers offered to forward mail, but as no orders came mail cars have not moved. The strikers claim the mayors of Great Falls, Helena and Butte approve their course.

There is no strike on the eastern division. The strike is confined